

## LEGAL NOTICE

than one month after the county administrator establishes rates by administrative regulations. The amount contained in the rate relief account shall be appropriated by the unified government board of commissioners to reduce the amount of future increases in the sewer service charges.

(Code 1988, § 30-128; Ord. No. O-46-05, § 1, 6-2-2005)

Sec. 30-124. Prohibited discharges.

(a) No person shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will cause interference with the operation or performance of the municipal sewer system (including treatment facilities). These general prohibitions apply to all such users of the municipal sewer system whether or not the user is subject to national categorical pretreatment standards or any other national, state, or local pretreatment standards or requirements. A user shall not contribute the following substances:

(1) Any liquids, solids or gases which by reason of their nature and quantity are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the municipal sewer system or to the operation of the sewage treatment works; any petroleum oil, nonbiodegradable oil, or products of mineral oil origin in amounts that will cause interference or pass through; or any pollutant resulting in the presence of toxic gases, vapors or fumes within the sewers or POTW sufficient to cause worker health and safety problems. Any noxious or malodorous liquids, solids, or gases which, singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, fuel oil, kerosene, naphtha, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, any other substances which are a fire hazard or a hazard to the system and waste streams containing substances with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Celsius using test methods specified by EPA.

(2) Any solids, natural or man-made fibers, insoluble or emulsified oils, fats, or greases, slurries or viscous materials of such character or in such quantity that may cause an obstruction to the flow in the sewer or otherwise interfere with the proper functioning of the sewage treatment works such as, but not limited to, ashes, cinders, sand, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, hides, paunch manure, hair and fleshings, entrails, spent lime, stone or marble dust, grass clippings, spent grains, spent hops, asphalt residues, residues from the refining or processing of fuels or lubricating oils, glass grinding or polishing wastes, and paper dishes, cups, milk containers, etc., either whole or

## LEGAL NOTICE

ground by garbage grinders.

(3) Any waters, waste, material or substances which are corrosive or irritating to human beings or animals, or are toxic or noxious or which contain toxic, poisonous or conventional pollutants that are solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, and cause interference or pass through or otherwise injure or interfere with the sewage treatment process, including by not limited to sludge use and disposal, or which constitute a hazard to humans or animals, or which create a public nuisance, or which create any hazard in the receiving waters of treated effluent or the sewage treatment works.

(4) Health department permitted hauled wastes, except at selected locations as designated by the director of environmental services.

(5) Acetylene generation sludge.

(6) For facilities that manufacture biodegradable and/or food grade emulsified and dissolved oils, the director may establish mass-based limits. Waters or wastes containing substances that may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit are prohibited, except at selected locations as designated by the director.

(7) Any waters or wastes containing strong acid, iron, pickling wastes, or concentrated plating solutions, whether neutralized or not.

(8) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits established by the director as necessary, after treatment of the composite sewage, to meet the requirements of local, state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.

(9) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits of radiation ( $\mu\text{Ci}/\text{ml}$ ) established by the director in compliance with applicable local, state, or federal regulations.

(10) Any waters or wastes having a pH less than 5.5 standard units (SU) or in excess of 11.0 SU.

(11) Materials that exert or cause a significant load on the sewage treatment works or a discharge of any pollutant that is sufficient to cause or is likely to cause interference and pass through, such as:

a. Concentrations of inert suspended solids (such as, but not limited to, diatomaceous or Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).

b. BOD, COD, chlorine.

c. Volumes of flow or concentration of wastes constituting "slugs" as defined herein.

(12) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment works effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters, or any substance which may cause the sewage treatment works effluent or any other product of the municipal sewer system such as residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no

## LEGAL NOTICE

case shall a substance discharged to the municipal sewer system cause the sewage treatment works to be in noncompliance with sludge uses or disposal criteria, guidelines, or regulations developed under Section 405 of the Act (33 USC 1345); any criteria, guidelines or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act (42 USC 6901 et seq.), the Clean Air Act (42 USC 7401 et seq.), the Toxic Substances Control Act (15 USC 2601 et seq.), or state criteria applicable to the sludge management method being used.

(13) Detergents, surface-active agents or other substances which may cause excessive foaming in the POTW:

m. BTEX (total): 16 mg/l.

Equivalent mass limits may be allocated to industrial users for any of the limits set out in this subsection at the director's discretion. In no case shall a wastewater discharge permit limit for discharge to the municipal sewer system be less stringent than the federal or state limit if it exists. This would apply to categorical industries and may apply to specific industries identified by the unified government or state.

(14) a. The director is authorized to establish local limits pursuant to 40 CFR 403.5(c).

b. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following:

Any wastes contributed by users of the POTW that, either singly or in conjunction with other significant industrial users, cause the Kaw Point POTW influent to exceed the following limits (lbs./day):

1. Arsenic: 1.848
2. Ammonia: 6,927
3. BOD: 72,850
4. Cadmium: 1.044
5. Chromium: 110,000
6. Copper: 33,478
7. Cyanide: 0.975
8. Lead: 2.166
9. Mercury: 0.654
10. Molybdenum: 74,400
11. Nickel: 35,383
12. Selenium: 4,759
13. Silver: 17,729
14. TSS: 69,016
15. Zinc: 72,423

(15) a. The director is authorized to establish local limits pursuant to 40 CFR 403.5(c).

b. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following:

Any wastes contributed by users of the POTW that, either singly or in conjunction with other significant industrial users, cause the treatment plant # 20 POTW influent to exceed the following limits (lbs./day):

1. Ammonia: 131
2. Arsenic: 0.834
3. BOD: 8,622
4. Cadmium: 0.691
5. Chromium: 4,024
6. Copper: 26,496
7. Cyanide: 3,101
8. Lead: 5,802
9. Mercury: 0.507
10. Molybdenum: 0.815
11. Nickel: 5,408
12. Selenium: 1,095
13. Silver: 7,947
14. TSS: 7,826
15. Zinc: 31,779

The above limits apply at the point where the wastewater is discharged

## LEGAL NOTICE

to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The director may impose mass limitations in addition to the concentration-based limitations above.

c. The director may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits to implement local limits and the requirements of section 30-124(a)(14).

(16) No user using silver in manufacturing or as part of a process operation, including, but not limited to, the development and/or printing of photographic pictures or X-rays, precious metal plating, or any operation where silver is reasonably expected to be found in the facility's wastewater, shall discharge silver bearing wastewater to the public sewer without first treating the wastewater to remove the silver or subjecting the wastewater to a silver recovery process. Requirements listed in best management practices (BMPs) that have been approved by the director will be enforceable by the environmental services division. The use of an approved BMP by an industrial user shall be governed by the policies established by the director. These include but are not limited to the provisions for sampling and inspection by the unified government and sampling and reporting requirements for the facility. It shall be unlawful for an industrial user to discharge a silver-rich solution from a photographic processing facility or otherwise introduce such solution into the municipal sewer system, unless such silver-rich solution is managed by the photographic processing facility in accordance with the Code of Management Practice for Silver Dischargers, as identified in section 30-1, prior to its introduction into the municipal sewer system. The Code of Management Practice for Silver Dischargers is a fully enforceable element in the unified government's industrial pretreatment program and constitutes a local limitation for silver discharged from photographic processing facilities. If a photographic facility does not comply with the requirements in the Code of Management Practice for Silver Dischargers, the numeric limitation for silver (Ag) per subsection (14) or (15) of this section will be enforced.

(17) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F), unless alternate temperature limits are approved by the director.

(b) The director may remove parameters from identified categorical industrial users or other permitted industrial users which are not present at the facility and have not been detected in the most recent three years of sampling performed by the industrial user and the UG. The industrial user must petition the director to have the parameter(s) removed from the industrial user's wastewater discharge permit. The petition must include the certification that the analyte is not present on the property. The industrial user will be required to certify the absence of the parameter with each periodic compliance report is submitted to the UG. The UG may continue to sample for the parameter. If any sampling detects the presence of the removed parameter, the wastewater discharge

## LEGAL NOTICE

permit will be modified to include the parameter for future testing.

(Code 1988, § 30-173; Ord. No. O-46-05, § 1, 6-2-2005; Ord. No. O-57-13, § 2, 12-5-2013; Ord. No. O-79-21, § 21, 6-10-2021; Ord. No. O-128-23, 10-12-2023)

Sec. 30-131. Code of Management Practices for Silver Dischargers adopted.

The Code of Management Practices for Silver Dischargers, as referenced in section 30-1, is incorporated herein by reference. If there exists or arises any conflict between the Code and the provisions of the Code of Management Practices for Silver Dischargers, then the provisions of this Code are controlling. There shall be not less than three copies of the Code of Management Practices for Silver Dischargers kept on file in the office of the unified government clerk, to which shall be attached a copy of this incorporating ordinance and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. 30-180," and said code shall be open to inspection and available to the public at reasonable hours. The division of environmental services and the municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance.

(Code 1988, § 30-180; Ord. No. O-46-05, § 1, 6-2-2005)

Sec. 30-351. FOG discharge permit required.

(a) All FSFs, FSEs and FOG generating businesses shall have a valid FOG discharge permit.

(b) Application for a FOG discharge permit shall be on forms provided by the unified government. Applications shall be verified and shall include the following information:

- (1) Business name and address;
- (2) FOG control equipment type;
- (3) OG control equipment size or capacity;
- (4) Cleaning/maintenance frequency.

(c) FOG discharge permits shall be issued annually and expire on December 31 of each year, or as otherwise determined by the director. The facility owner/operator shall apply for a FOG discharge permit reissuance no less than 30 days prior to the expiration of the facility owner/operator's existing FOG discharge permit. The terms and conditions of the FOG discharge permit may be subject to modification by the director during the term of the FOG discharge permit as limitations or requirements as identified in this article are modified or other just causes exist. The facility owner/operator shall be informed of any proposed changes in the FOG discharge permit at least 30 days prior to the effective date of change. Any changes or new conditions in the FOG discharge permit shall include a reasonable time schedule for compliance.

(d) An FCE pumping/maintenance log shall be maintained for each FCE device. This log shall include the date, type of service, service provider, disposal site (if known), volume pumped and service comments. This log shall be kept in an accessible and known location for inspection. This log shall be made immediately available to any WPC representative upon request.